

ECF CASE  
JUDGE CHIN

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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**J & J SPORTS PRODUCTIONS, INC., as  
Broadcast Licensee of the May 5, 2007  
DeLaHoya/Mayweather Program,**  
Plaintiff,

-against-

**ATTORNEY'S AFFIDAVIT OF COSTS  
AND FEES**  
Civil Action No. 07-CV-08855  
HON. DENNY CHIN

HAROLD C. GRAHAM, Individually, and as  
officer, director, shareholder and/or principal of  
REFLECTION BAR & LOUNGE INC. d/b/a  
REFLECTIONS BAR & LOUNGE a/k/a  
REFLECTIONS BAR AND GRILL,

and

REFLECTION BAR & LOUNGE INC. d/b/a  
REFLECTIONS BAR & LOUNGE a/k/a  
REFLECTIONS BAR AND GRILL,

Defendants.

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STATE OF NEW YORK :  
: SS.:  
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for Plaintiff, J & J Sports Productions, Inc., in the above referenced matter and I am admitted to practice in this Court. I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. I make this affidavit in support of Plaintiff's motion for default judgment and damages, costs and fees.

3. Plaintiff's litigation expenses as associated with the formation, pleading and filing

of the above captioned matter are as outlined below:

- a. Filing Fees - \$350.00
- b. Service of Process - \$200.00  
Attached hereto as Exhibit "A," please find invoice from Signal Auditing, Inc., reflecting the cost of service upon the Defendants.
- c. Attorneys Fees - \$781.25  
See below

Total Litigation Expenses .....(\$1331.25)

4. Attorney fees at \$200.00 per hour for attorney time spent and \$75.00 for paralegal time spent are as follows:

<u>Date</u>	<u>Action</u>	<u>(in hours)</u>	<u>Fee</u>
06/07/2007	Factual research and development	.50	\$100.00
06/08/2007	Claim Letter issued	.25	\$18.75
06/12/2007	TC to Defendant	.12	\$25.00
10/10/2007	Complaint drafted, Corporate disclosure	.50	\$300.00
10/10/2007	Complaint sent to Court for Filing	.25	\$18.75
11/01/2007	Arranged Service	.25	\$18.75
11/21/2007	TC from Defendant's Atty	.13	\$25.00
11/26/2007	Issued Subpoena	.25	\$50.00
11/26/2007	Demand Letter	.25	\$18.75
12/18/2007	Review Service	.12	\$25.00
12/18/2007	Filed and mailed Proofs of Service	.25	\$18.75
12/20/2007	Review Ltr from Atty	.13	\$25.00
12/26/2007	Drafting Request for Default	.50	\$100.00
12/26/2007	Filed and mailed Request For Default	.50	\$37.50

01/04/2008	Drafted Motion for Default	1.0	\$200.00	Atty
		Hours	Fee	
		3.25 Atty	\$650.00	
		1.75 Para	\$131.25	
		<b>Total</b>		
		<b>\$781.25</b>		

5. As part of its factual research, Plaintiff's Counsel conducted a search of the New York State Division of Alcoholic Beverage Control State Liquor Authority. The results show that Harold C. Graham, is Principal of Reflections Bar Lounge Inc. The Public Query results page is attached hereto, as Exhibit "B".

6. We respectfully request that judgment be entered in favor of Plaintiff and against the Defendants in the manner stated herein.

**WHEREFORE**, your deponent respectfully requests that this Court in its discretion grant judgment by default under 605(a) on COUNT I of the Plaintiff's complaint against the Defendants jointly and severally as follows:

**Against, HAROLD C. GRAHAM, Individually, and as officer, director, shareholder and/or principal of REFLECTION BAR & LOUNGE INC. d/b/a REFLECTIONS BAR & LOUNGE a/k/a REFLECTIONS BAR AND GRILL,**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of SIX HUNDRED SIXTY FIVE DOLLARS AND SIXTY TWO CENTS (\$665.62)

**Against, REFLECTION BAR & LOUNGE INC. d/b/a REFLECTIONS BAR & LOUNGE a/k/a REFLECTIONS BAR AND GRILL,**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)

- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of SIX HUNDRED SIXTY FIVE DOLLARS AND SIXTY TWO CENTS (\$665.62)

Dated: January 4, 2008  
Ellenville, NY 12428

/s/ Julie Cohen Lonstein  
Julie Cohen Lonstein, Esq.  
Bar Roll No. JL8512  
Lonstein Law Office, P.C.  
Attorneys for Plaintiff  
1 Terrace Hill; PO Box 351  
Ellenville, NY 12428  
Telephone: 845-647-8500  
Facsimile: 845-647-6277

Sworn to before me this 4<sup>TH</sup>  
day of January 2008

/s/ April Draganchuk  
**April Draganchuk**  
*Notary Public State of New York*  
*Registration No. 4945872*  
*Residing in Ulster County*  
*My Commission Expires Jan. 27, 2011*

Exhibit A

1 Terrace Hill  
P.O. Box 615  
Ellenville, NY 12428

Date	Invoice #
11/26/2007	1166

**Bill To**

Lonstein Law Office, PC  
Wayne D Lonstein  
1 Terrace Hill  
P.O. Box 351  
Ellenville, NY 12428

Description	Amount
INDIVIDUAL SERVICE J&J v. HAROLD C GRAHAM YOUR FILE #07-4-S13 CV #07-8855	100.00
<b>Total</b>	\$100.00

## Mountain Support Services

1 Terrace Hill  
P.O. Box 615  
Ellenville, NY 12428

Date	Invoice #
11/14/2007	1155

**Bill To**

Lonstein Law Office, PC  
Wayne D Lonstein  
1 Terrace Hill  
P.O. Box 351  
Ellenville, NY 12428

Description	Amount
CORPORATE SERVICE ON SECRETARY OF STATE J&J v. REFLECTION BAR & LOUNGE INC YOUR FILE #07-4-S13V CV#07-8855	100.00
<b>Total</b>	\$100.00

Exhibit B



Eliot Spitzer  
Governor

DIVISION of Alcoholic Beverage Control  
State Liquor Authority

Noreen Healey  
Commissioner

Joshua B. Toas  
CEO

Daniel B. Boyle  
Chairman

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## Public Query - Results

### License Information

**Serial Number:** 1151148

**License Type:** ON-PREMISES LIQUOR

**License Status:** License is Active

**Credit Group:** 2

**Filing Date:** 04/23/2004

**Effective Date:** 07/01/2006

**Expiration Date:** 06/30/2008

### Premises Information

**Principal's Name:** GRAHAM, HAROLD C

**Premises Name:** REFLECTION BAR LOUNGE INC

**Trade Name:**

**Zone:** 1

**Address:** 3848 WHITE PLAINS ROAD

221ST STREET & 22NDSTREET

BRONX, NY 10466

**County:** BRONX

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